



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 16, 1992

Mr. Cobby A. Caputo
Attorney for Round Rock ISD
Walsh, Judge, Anderson, Underwood
& Schulze, P.C.
P. O. Box 2156
Austin, Texas 78768

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OR92-104

Dear Mr. Caputo:

You request that this office reconsider certain aspects of its previous ruling in Open Records Letter No. 92-039 (1992). Your request was assigned ID# 14803.

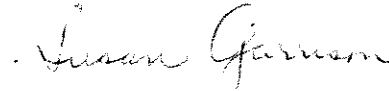
Specifically, you contend that nine of the documents this office held to be public records constitute "education records" as defined by the Buckley Amendment. *See* 20 U.S.C. § 1232g(4)(A). You advise that two of these documents, which you have renumbered as Documents 4 and 5, were created by students in their own handwriting. We agree that such records constitute "education records" and as such should not be released to the public. *See* Open Records Decision No. 224 (1979).

On the other hand, we do not believe that the remaining documents you have resubmitted to us consist of "education records." These records must therefore be released. If you believe that this office has reached this determination in error, you may pursue such remedies as provided in section 10 of the Open Records Act, V.T.C.S. art. 6252-17a.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR92-104.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/nhb

Ref.: ID# 14803
Open Records Letter No. 92-039

cc: Linda Everton
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